

Notice of Allowability

Application No.

10/767,094

Examiner

Carlos Lugo

Applicant(s)

DEBRODY ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on September 6, 2005.
2. ☒ The allowed claim(s) is/are 1,3,5-10,12 and 14-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This Office Action is in response to applicant's amendment filed on September 6, 2005.

Allowable Subject Matter

2. **Claims 1,3,5-10,12, and 14-34 are allowed.**

Reasons For Allowance

3. The following is an examiner's statement of reasons for allowance:

Claims 1,25, and 29-34 are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the fingers are arranged so as to allow the locking element to pass through the chamber and through the top and bottom openings in the insertion direction (claims 1 and 29-32); that the shackle is integral and one piece with the shackle (claim 25); and that the locking element abuts an inner wall while the locking element shoulder is locked by the fingers (claim 34).

Regarding claims 1 and 29-32, Spirig (US 4,361,351) discloses a bi-directional locking device (1) including a locking arrangement (4) for receiving and locking a shackle (3) thereto. The shackle has at least one locking element (13 and 14). The shackle is insertable into a device chamber for engaging with the locking arrangement.

The locking arrangement comprises a body defining the chamber therein and has a longitudinal axis defining a longitudinal direction. The body has opposing top and bottom ends. The top end defines a top opening communicating with the chamber in

the longitudinal direction, and the bottom end defines a bottom opening communicating with the chamber in the longitudinal direction.

A plurality of resilient fingers (11 and 12) is positioned in the chamber. Respective ones fingers extends in opposing directions toward and substantially aligned with each other in the longitudinal direction. The plurality of fingers each is positioned to allow passage of the at least one locking element of the shackle in first and second opposite insertion longitudinal directions through either the top or the bottom opening (with respect to the location where the shackle is lock). At least one of the fingers is used for locking engaging at least one locking element to preclude the shackle withdrawal from the chamber in a direction opposite to the insertion direction to lock the shackle to the body in the opposite direction.

However, Spirig fails to disclose that the fingers are arranged so as to allow the locking element to pass through the chamber and through the top and bottom openings in the insertion direction. As seen in Figure 2, because of the arranged of the fingers presented by Spirig, the locking element cannot pass through the chamber and through the top and bottom openings in the insertion direction.

Suzuki (US 4,245,374) discloses a bi-directional locking device that comprises a locking arrangement (10) for receiving a shackle (20). The shackle comprises at least one locking element (30). The locking arrangement includes a chamber (12) and a plurality of fingers (14).

However, Suzuki fails to discloses that the plurality of fingers extends in opposing directions toward each other and that are aligned with each other in the longitudinal

direction, defined by the longitudinal axis from the top to the bottom of the body. Suzuki discloses that the fingers (14) extends in opposing directions toward each other and that are aligned with each other in a transverse direction.

Furutsu (US 5,943,741), Ueno (US 4,854,014) and Pape (US 3,192,584) disclose a similar device that the one described by Suzuki.

As to claim 25, Spirig fails to disclose that the shackle is integral and one piece with the shackle. Spirig discloses that the shackle is a separate member from the socket. Although, when a user locks one end of the shackle into the insert, the shackle presented by Spirig can be considered as being integral or as a one piece with the socket, the shackle can be capable of being inserted in either the top or bottom opening.

As to claim 34, Spirig fails to disclose that the locking element abuts an inner wall while the locking element shoulder is locked by the fingers.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo
AU 3676

September 29, 2005



**BRIAN E. GLESSNER
PRIMARY EXAMINER**